IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

WP(C).No. 390 of 2007(U)

PETITIONER:

K.K.ALIKUTTY,
KUNNAPPILLY HOUSE,
KAKKANAD P.O.

BY ADV. SRI.S.RUSSEL

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR (RR),
KERALA FINANCIAL CORPORATION,
ERNAKULAM, COCHIN-17.

2. KERALA FINANCIAL CORPORATION,
HEAD OFFICE AT VELLAYAMBALAM,
THIRUVANANTHAPURAM, REP. BY ITS MANAGING DIRECTOR.

3. THE DISTRICT MANAGER,
K.F.C., ERNAKULAM DISTRICT OFFICE,
KALOOR, COCHIN-17.

4. TELWIN AUGUSTINE,
ALUMKAL HOUSE, PAI ROAD,
PALLURUTHY P.O., COCHIN.

BY ADV. SRI.M.M.SAYED MUHAMMED, SC, KFC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C) NO. 390 OF 2007

Dated this the 9th day of January, 2007

J U D G M E N T

The petitioner approached this court earlier by filing WP(c) No.25790/2004. Hence this writ petition was posted along with other Writ petition. It is seen that an interim order was passed on 27/09/2004 where under this court directed the petitioner to pay 1/3rd of the amount and granted a stay of the recovery of the balance amount. There was also a further direction to the respondents to proceed against the other guarantors and borrowers for recovery of the balance amount immediately and file a representation before this court within one month. Admittedly, the 1/3rd amount required to be paid by the petitioner was not paid. As such there is no stay for the collection of the balance amount. In such circumstances fresh proceedings were taken against the petitioner.

2. The challenge made in this writ petition is against the said proceedings taken on the default of the petitioner in making the payment of 1/3rd. I do not find any good reason to interfere with the present recovery proceedings. The petitioner did not

move for any enlargement of time. In such circumstances, there is no merit in this writ petition. Accordingly, the same is dismissed.

Writ petition is dismissed.

P.R.RAMAN, JUDGE

Rp